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PLATEAU STATE GEOGRAPHIC INFORMATION SERVICE LAW, 2021

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**A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE
PLATEAU STATE GEOGRAPHIC INFORMATION SERVICES
AND FOR RELATED MATTERS, 2021.**

ENACTED by the Plateau State House of Assembly as follows:

PART I

PRELIMINARY

Citation and Commencement 1 This Law may be cited as the Plateau State Geographic Information Services Law and shall come into operation on the 14th day of July, 2021.

Interpretation 2 In this Law:
“account-general” means the Accountant-General of Plateau State;

“attorney-general” means the Attorney-General of Plateau State;

“auditor-general” means the Auditor-General of Plateau State;

“board” means the Governing Board of the Service established under Section 4(1) of the Bill;

“chairman” means the Chairman of the Board;

“commissioner” means the Commissioner responsible for Lands, Survey and Town Planning matters;

“director- general” means the Director-General for PLAGIS appointed in Section 15 of this Law;

“governor” means the Governor of Plateau State;

“infrastructure” includes a Project of development which has physical components such a basic facilities that are interrelated and that are implemented pursuant to the provisions of this Law including Power Plants, Supply of Electricity and Energy, Hydro-electric Power Projects, Water Supply and Sanitation, provision of Sewages, Agricultural Services, Irrigation, Telecommunications, Inter-state Transport Systems, Streets, Roads, Bridges, Tunnels, Land Reclamation Projects, Environmental Remediation and Clean-up Projects, Tourism Development Projects, Recreational Facilities, Trade Fair Complexes, Warehouses, Solid Wastes Management, Satellite and Ground Receiving Stations, Information Technology Networks and Database Infrastructure, Education, Health Facilities, Security Facilities, Installations, Sewerage, Drainage, Furniture, Mechanical Systems and other Infrastructural and Development Projects as may be approved from time to time by the State Executive Council;

“member” means a Member of the Board and includes the Chairman;

“ministry” means the Ministry responsible for Lands, Survey and Town Planning matters;

“state” means Plateau State of Nigeria;

“service” means the Plateau State Geographic Information Service established under Section 3(1) of this Law.

PART II

ESTABLISHMENT OF THE PLATEAU STATE GEOGRAPHIC INFORMATION SERVICE AND ITS GOVERNING BOARD

Establishment of the Plateau State Geographic Information Service

(1) There is established a body to be known as the Plateau State Geographic Information Service (hereinafter referred to as “PLAGIS”).

(2) PLAGIS shall be a Body Corporate with Perpetual Succession and Common Seal and may sue and be sued in its corporate name.

Establishment of the Governing Board of PLAGIS

(1) There is established for PLAGIS a Governing Board (hereinafter referred to as “the Board”)

(2) The Board shall comprise the following:

- (a) The Chairman, who shall be an independent professional appointed by the Governor;
- (b) Permanent Secretaries of:
 - (i) Ministry of Lands, Survey and Town Planning;
 - (ii) Cabinet and Special Services;
 - (iii) Ministry of Justice;
 - (iv) Ministry of Finance;
 - (v) Ministry of Physical Planning and Urban Development;
 - (vi) Ministry of Works; and
 - (vii) a Representative from the Local Government Service Commission;
- (c) (i) Surveyor-General of the State;
- (ii) Director of Lands; and
- (iii) Director of Town Planning;
- (d) the Chairman or Representative of the State Land Use Allocation Committee;
- (e) a Representative of the National Centre for Remote Sensing;

- (f) a Representative of each of the following:
- (i) Nigerian Institute of Surveyors;
 - (ii) Nigerian Institute of Town Planners;
 - (iii) Nigerian Institute of Estate Surveyors Valuers; and
 - (iv) the Director-General as Secretary.

Tenure of Office of members of the Board

The members of the Board mentioned in Section 4(2) (a) and (f) (iv) shall hold Office for a Term of Four (4) years and shall be eligible for re-appointment for one further Term of Four (4) years and no more.

Vacation of Office by members of the Board

- (1) A Member of the Board mentioned in Section 4(2) (a) and (f) shall vacate Office on the happening of any of the following:
- (a) resignation of Appointment by Notice in writing to the Governor;
 - (b) expiration of the period of Appointment of the Member;
 - (c) a Member becoming incapable by reason of mental or physical infirmity of discharging the duties;

- (d) becoming unfit for membership of the Board by reason of the fact that a Member has an interest in a Contract entered into by the Board and has not disclosed that fact;
- (e) being absent from Three (3) consecutive meetings of the Board without leave of the Board or good excuse by a Member;
- (f) a Member being convicted of an Offence involving Dishonesty, Ineptitude; or
- (g) a Member is removed from Office by the Governor for any cause.

Functions of the Board

7 The functions of the Board shall be to:

- (a) approve the Legal and Regulatory Framework for the operations of PLAGIS;
- (b) approve the appointment of Technical Advisers and Consultants to PLAGIS whenever necessary;
- (c) supervise the activities of PLAGIS and issue Directives on the implementation of Government Policies and Programmes;
- (d) approve the Budget of PLAGIS;

- (e) receive regular and periodic Reports from PLAGIS on the implementation of its activities and programmes and submitting such Reports to the Governor; and
- (f) perform such other functions which in its opinion are necessary or expedient to ensure the efficient performance of the functions of PLAGIS.

Allowances, etc for members of the Board 8 The members of the Board shall be paid such Allowances and other benefits as the Governor may, from time to time determine.

Proceedings of the Board 9 In carrying out its functions, the Board shall be governed by the Rules of Proceedings set out in the Schedule to this Law.

PART III OBJECTIVES, FUNCTIONS, POWERS AND STRUCTURE OF PLAGIS

- Objectives of PLAGIS** 10 The objectives of PLAGIS shall be to:
- (a) effectively handle the management of Spatial Data;
 - (b) transform the process of Land Administration in a Digital Environment;
 - (c) provide relevant geographic information to Government

Ministries, Departments and Agencies;

(d) enhance Revenue generation capacity of Government Ministries, Departments and Agencies;

(e) provide information on Infrastructure in line with Land Use Plan;

(f) to approve the periodic upgrading of PLAGIS Data Base with respect to Mapping, Survey Equipment, Densification of Survey, Ground Control and Staff Capacity Building for the sustenance of the activities of PLAGIS; and

(g) ensure digitalized and timely issuance of Land Titles.

Functions of PLAGIS

11 PLAGIS shall:

(a) establish and maintain a State Geographic Information Service to be known as the "Plateau Geographic Information Service" to enhance Land Administration and management in the State;

(b) compile and collate information about Land and to provide products and services derived from other

information to the Government and general Public;

- (c) establish standards that conform with National and International best practice;

- (d) be responsible for the following aspects of Land Administration in the State in terms of:

- (i) creation and compilation of Land Registry Records and registration of Land Instruments;

- (ii) repository and management of Survey Information and Data including charges for services;

- (iii) processing of Applications for grants of Rights of Occupancy and issuance of Certificates of Occupancy and processing of subsequent Land transactions;

- (i) provision of support to the Land Use Allocation Committee;

- (ii) facilitating the functions of the Land Allocation Advisory Committee in each Local Government Area and provide

administrative support for the processing of grants of Customary Rights of Occupancy; and

- (iii) provision of such services as are incidental to the maintenance of Geographical and Land Information Service, Land Rights and Geographic Land Records as may be provided for in the Regulations made under this Law.

**Duties of
PLAGIS**

12 PLAGIS shall:

- (a) ensure that the Land Administration System in the State is efficient and effective;
- (b) ensure a System of Land Administration that supports the development of Social and Economic Rights;
- (c) ensure an effective Security System in liaison with Security Agencies;
- (d) conform to National Standard concerning Geo-spatial Data with regard to International and Regional Standards.

**Powers of
PLAGIS**

13 The Agency shall have power to:

- (a) acquire, own, dispose of charge and otherwise alienate in whole or in

part interests in Immovable Property;

- (b) set standards in relation to the quality and format of Geo-spatial Information to be created and maintained by the State and Local Government Councils within the State;

- (c) charge Fees as may from time to time be prescribed for the Service;

- (d) grant Charges, including Charges over Immovable Property, as Security for its obligation; and

- (e) perform such other functions as are incidental to the discharge of the responsibilities of PLAGIS.

Structure of PLAGIS

14 (1)

There is established for PLAGIS the following Departments:

- (a) Information Communication Technology;
- (b) Survey;
- (c) Geographic Information System; and
- (d) Finance.

(2)

There is established for PLAGIS the following Units:

- (a) Public Relations and Marketing;
- (b) Audit; and
- (c) Legal.

(3)

Notwithstanding the provision of sub-section (1) and (2) of this

Section, PLAGIS may subject to the approval of the Board establish additional Departments and Units.

PART IV STAFF OF PLAGIS

Director-General 15 (1)

The Governor shall on the recommendation of the Board appoint a Director-General for PLAGIS who shall be subject to the general direction of the Board.

(2)

The Director-General shall:

- (a) be the Chief Executive and Chief Accounting Officer;
- (b) be responsible to the Board as well as for the general administration of PLAGIS; and
- (c) perform such other duties as the Board may from time to time direct.

(3)

The Director-General shall be:

- (a) appointed by the Governor from Three (3) Applicants selected through a competitive and transparent Recruitment Process carried by the Board or through an approved certified competent Consultant in respect

of an Advertisement for such Vacancy;

- (b) a holder of Degree in either Land Surveying, Geography, Estate Management, Town Planning or other relevant Disciplines and also duly registered with relevant professional body(ies) with proven evidence of ICT literacy and at least Ten (10) years relevant cognate experience at managerial level with an Organization, Public or Private; and
- (c) appointed pursuant to a Performance Based Employment Contract for a term of Four (4) years on a full time basis which may be renewable for another period of Four (4) years and no more. The renewal of Appointment shall be based upon consideration of the improved financial, managerial, operational and other relevant indicators as contained in such Contract.

Removal of the Director-General

Notwithstanding the provision of sub- section (3) (c) of Section 15 of

this Law, the Director-General may be removed from Office by:

- (a) resignation of appointment by a Notice in writing to the Governor;
- (b) expiration of the period of Appointment;
- (c) becoming incapable of discharging the duties by reason of Mental or Physical Infirmary and the removal shall be subject to the recommendation of a Medical Board set by the Ministry of Health; and
- (d) being involved in any act of Misconduct where the removal shall be subject to the recommendation of an Investigation Panel set to investigate the alleged act of Misconduct of Gross Misconduct: The Panel of Enquiry shall be made up of high ranking serving or retired Government Officials of proven integrity.

Secretary

17 (1) There shall be appointed by the Board a Secretary for PLAGIS.

(2) The Secretary shall be appointed on such terms and conditions as may be contained in the Letter of Appointment.

- (3) The Secretary shall possess at least a First Degree in Law with a minimum of Ten (10) years post-qualification experience.

Functions of the Secretary

18 The Secretary shall perform the following functions:

- (a) be responsible to the Director-General;
- (b) organize and take minutes of the meeting of the Board;
- (c) keep the Seal and Records of the Board and conduct correspondences of the Board;
- (d) arrange for the payment of Fees and Allowances of meetings and all other matters affecting Members of the Board;
- (e) communicate Policy decisions at Board meetings to affected Departments;
- (f) render necessary advice in compliance with Laws, Rules and Regulations affecting the Board;
- (g) keep custody of copies of Assets, Financial and Annual Reports; and
- (h) perform such other duties as the Board or Director-General may from time to time direct.

Staff of PLAGIS

19 (1) PLAGIS shall, subject to the approval of the Board, have power to:

- (a) appoint such number of Staff from time to time as are necessary to assist it in the discharge of its functions under this Law;
 - (b) appoint directly or from any Public Service of the Federation by way of transfer of Service or Secondment, any number of Staff and other Employees as it may from time to time deem necessary to assist in the discharge of its functions under this Law;
 - (c) conduct Promotion exercises; and
 - (d) undertake Disciplinary Measures.
- (2) The Conditions of Service of members of Staff shall be as may be determined by the Board and in accordance with the Public Service Rules of the State.
- (3) The Conditions of Service shall include:
 - (a) conditions for Appointment, Promotion and Discipline of the Employees of PLAGIS;
 - (b) Procedures for Appeals by Employees against any Disciplinary Measures regarding their Employment:

Provided that until such Conditions of Service are made, any Instrument relating to Conditions of Service in the Public Service of the State shall be applicable with such modifications as may be necessary to the Employees of PLAGIS.

(4) The Board shall approve Appointments, Promotions and Disciplinary Measures deliberated upon pursuant to the provisions of sub-section (1) of this Section.

(5) PLAGIS, subject to the approval of the Board, may determine the Salaries, Emoluments and other benefits of the Employees of the Service.

Pension Right

20 (1) Service in PLAGIS shall be approved service for the purposes of the Pension Law and accordingly, Officers and other persons employed in PLAGIS shall be entitled to Pensions, Gratuities and other benefits as are prescribed there under, so however that nothing in this Law shall prevent the appointment of a person in any Office on terms which preclude the grant of a Pension, Gratuity or other Retirement Benefit in respect of that Office.

- (2) For the purposes of the application of the provisions of the Pension Law, any power exercisable there under by the Governor or other appropriate Authority of the State Government, other than the power to make Regulations under Section 37 of this Law, is hereby vested in and shall be exercisable by PLAGIS and not by any other Person or Authority.

PART V FINANCIAL PROVISIONS

Funds of PLAGIS

- 21 There is established and maintained for PLAGIS an Account approved by the Governor into which shall be paid and credited:
- (a) such sums as may be provided by the State;
 - (b) any Loan granted to PLAGIS by the State, any Local Government of the State, any other Person or Institution, with the approval of the Governor;
 - (c) such sums as may be paid to PLAGIS by way of Grants, Subsidies, Donations, Gifts, Fees, Subscription, Rent, Interest and Royalties;

- (d) any sums derived from the Sale of any Property held by or on behalf of PLAGIS;
- (e) any Property which may be donated to PLAGIS;
- (f) donations from National and International Development Partners; and
- (g) any monies from other lawful source.

**Application of
PLAGIS Funds**

22 The following Charges shall be defrayed out of the Revenue of PLAGIS for any Financial Year, namely:

- (a) the Allowances of the members of the Governing Board and those of any Committee of the Board;
- (b) all expenses of working and management of the Agency and its Geographic Information Services and other Properties including proper provision for Depreciation, Wear and Tear or Renewal of Assets;
- (c) such works of a Capital nature as PLAGIS may deem necessary from time to time;

- (d) such sums including Compensation that may be payable by PLAGIS to any Person or Authority by virtue of the provisions of this Law or any other Bill;
- (e) Charges, Fees and other Levies payable by PLAGIS under this Law; and
- (f) such other sums as the Board may approve for payment out of the Revenue Account of PLAGIS in respect of any Financial Year.

Retention of Revenue

- 23 PLAGIS shall retain Five Percent (5%) of the Revenue it generates from its operations and apply same towards the funding of its operations.

Bank Accounts

- 24 PLAGIS shall operate Accounts with reputable Bank approved by the Governor on the advice of the Ministry of Finance and the signatories to the Accounts shall be the Director-General and Director of Finance and Supplies on the approval of the Permanent Secretary of the Ministry.

Annual Estimates, Accounts and Audit

- 25 (1) PLAGIS shall submit to the Commissioner, not later than 31st July in each year an Estimate of its Expenditure and Income during the next succeeding year.

- (2) PLAGIS shall keep proper Accounts in respect of each year and proper records in relation thereto and shall cause the Accounts to be audited by an Auditor appointed from the List and in accordance with the Guidelines supplied by the Auditor-General.

Annual Reports 26 PLAGIS shall prepare and submit to the Governor through the Commissioner, not later than 31st July in each year a Report, in such Form as he may direct, on the activities of PLAGIS during the immediate preceding year, and shall include in such Report, a copy of the audited Accounts of PLAGIS for that year and the Auditor-General's Report thereon.

Power to accept Gifts 27 (1) PLAGIS may accept any Gift of Land, Money or other Property on such terms and conditions, if any, as may be specified by the Person or Organization making the Gifts.

- (2) PLAGIS shall not accept any Gift if the condition attached by the Person or Organization making the Gift is inconsistent with the functions of PLAGIS.

Power to Borrow 28 PLAGIS may with the approval of the Governor, borrow by way of Loan or Overdraft from any source, monies required by PLAGIS for meeting its obligations and

discharging its functions under this Law and shall be in line with borrowing Guidelines of the State as laid down by the Debt Management Department under the Ministry of Finance.

PART VI MISCELLANEOUS

Authentication of Documents 29 (1)

The Common Seal of PLAGIS shall not be used or affixed to any Document except in pursuance of a Resolution duly passed at a meeting of the Board and recorded in the Minutes of such meeting.

(2) The fixing of the Common Seal of PLAGIS shall be authenticated by the signature of the Chairman and Secretary of the Board or of such other members as may be generally or specifically authorized in that behalf by the Board.

(3) Any Contract or Instrument which would not be required to be under Seal if entered into or executed by a person, may be entered into or executed as the case may be on behalf of PLAGIS by any person generally or specifically authorized in that behalf by the Board.

Execution of contractual documents

30 (1) Any Contract or Document which if entered into or executed by a person not being a Body Corporate and not required to be under Seal may be entered into or executed on behalf of the Board by the Director-General or by any person generally or specifically authorized by the Board for that purpose.

(2) Any Document purporting to be a Document duly executed or issued under the Seal of PLAGIS or on behalf of the Board shall unless the contrary is proved, be deemed to be so executed or issued, as the case may be.

Service of Documents

31 A Notice, Summons or other Document required or authorized to be served on PLAGIS under the provisions of this Law or any other Law, may be served by delivering it to the Director-General or by sending it by registered post addressed to the Director-General at the Head Office of PLAGIS.

Limitation of Suits against PLAGIS

32 (1) Subject to the provision of this Law, the provisions of the Public Officers Protection Act shall apply in relation to any Suit instituted against any Member, Officer or Employee of PLAGIS.

- (2) No Suit against the Chairman or a Member of the Board or any Employee of PLAGIS for any act done in pursuance or execution of this Law or any other Law or Enactment, or of any Public Duty or Authority or in respect of any allegation in the execution of this Law or any other Law or Enactment, Duties or Authority, shall lie or be instituted in any Court unless it is commenced:
 - (a) within Three (3) Months after the act, neglect or default complained of; or
 - (b) in the case of a continuation or damage or injury, within Six (6) Months next after the ceasing thereof.
- (3) No Suit shall be commenced against the Chairman or Member of the Board or any other Officer or Employee of PLAGIS before the expiration of a period of One Month after written Notice of the Intention to commence the Suit shall have been served on PLAGIS by the intending Plaintiff or his Agent.
- (4) The Notice referred to in subsection (3) of this Section shall clearly and explicitly state the:
 - (a) cause of action;
 - (b) particulars of Claim;

- (c) name and place of abode of the intending Plaintiff; and
- (d) Relief which he claims.

Legal Representation

33 (1) In a Suit by or against PLAGIS, representation may be made in Court at any stage of the Proceedings by a Law Officer from the Ministry of Justice or by a Private Legal Practitioner with the written authorization of the Attorney-General.

(2) In this Section "suit" includes any Action or any Civil Proceeding commenced by Writ of Summons or by such other manner as may be prescribed by Rules of Court, but does not include Criminal Proceedings.

Validation of Certain Acts

34 (1) No act done or proceeding taken in this Law shall be questioned on the ground of:

- (a) the existence of any Vacancy in or any defect in the constitution of the Board or any omission, and
- (b) defect or irregularity not affecting the merits of the case.

Immunity of Officers

35 No Member of the Board or Staff of PLAGIS may be personally liable for any

act of omission or commission in the discharge of duties in good faith.

Directives by the Commissioner

36 The Commissioner may give to PLAGIS such Directives of a general or specific character with respect to the performance of its functions and its procedure as the Commissioner may consider necessary and it shall be the duty of PLAGIS to comply with such Directives.

Power to make Regulations

37 The Commissioner may make Regulations for the purposes of this Law and it shall be the duty of PLAGIS to comply with such Directives or cause them to be complied with.

Regulations

38 (1) The Commissioner may subject to approval of the Governor make Regulations for the proper implementation of the provisions of this Law in respect of the following:

- (a) provide for payment of Fees and Charges to PLAGIS in accordance with the provision of this Law.
- (b) prescribed Forms and Formats of Documents to be issued by PLAGIS and to be used in dealings with PLAGIS and the means by which these are to be procured or authenticated; and

(c) make such further provisions as are necessary for the effective operations of PLAGIS and performance of its functions.

(2) Notwithstanding the provisions of sub-section (1) of this Section, the Commissioner may make Regulations pursuant to the provisions of this Law to confer further functions on PLAGIS.

(3) The Commissioner may by Regulations made under this Section and subject to approval by the State House of Assembly, set Fees, Charges and means of calculating Fees and Charges to be paid in respect of the performance by PLAGIS of any of its functions and for the provisions of any service by PLAGIS.

(4) Such Regulations may stipulate the means by which any Fee or Charge is to be paid and may require pre-payment as a condition for carrying out a function or the provision of a service.

SCHEDULE

SECTION 9

PROCEEDINGS OF THE BOARD

Standing Order 1 The Board may, with the approval of the Governor make Standing Orders regulating the Proceedings of the Board or any of its Committees.

Meetings of the Board 2 (a) The Board shall hold a minimum of Four General Meetings and Emergency Meetings as the need arises in any given year for the transaction of business and such meetings shall be held at such places as the Board may consider necessary.

(b) At every meeting of the Board, the Minutes of the meeting which have been duly adopted and signed, shall be taken to have been duly convened and free from any defect or irregularity.

Quorum 3 The quorum of the Board meeting shall be Seven (7) including the Chairman or the presiding Member.

Presiding over meetings 4 At any meeting of the Board, the Chairman shall preside and in his absence, the Members present at the meeting shall appoint any of their Members to preside at such meeting.

Voting during meetings 5 Every question at a meeting shall be determined by a majority of the votes of the